

Exhibit 27

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST, et al.,
individually and on behalf of a class of
all others similarly situated,

Plaintiffs,

vs.

1:18-cv-00719-CCR

CITY OF BUFFALO, N.Y., et al.,

Defendants.

ORAL EXAMINATION OF THOMAS WHELAN

APPEARING REMOTELY FROM

BUFFALO, NEW YORK

Tuesday, April 26, 2022

9:00 a.m. - 5:53 p.m.

pursuant to notice

REPORTED BY:

Luanne K. Howe

APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

R E M O T E A P P E A R A N C E S

APPEARING FOR THE PLAINTIFFS:

NATIONAL CENTER FOR LAW AND ECONOMIC JUSTICE

BY: ANJANA MALHOTRA, ESQ.

50 Broadway, Suite 1500
New York, New York 10004
212-633-6967

APPEARING FOR THE DEFENDANTS:

HODGSON ROSS LLP

BY: DAVID SHORT, ESQ.

140 Pearl Street, Suite 100
Buffalo, New York 14202
716-848-1609

ALSO PRESENT:

KARLI WURPEL, Intern

National Center for Law and Economic Justice

ANDREW TIMMICK, ESQ.

Covington & Burling LLP

1 Q And how many cars would typically pass through a
2 checkpoint?

3 A Again, it depends on the location and the time of
4 day. Sometimes a couple hundred or 150 if we were up
5 on Walden, and if we were on a side street, maybe
6 only 20.

7 Q Uh-huh. And so was there a line sometimes of cars
8 waiting to go through the checkpoint?

9 A Sometimes there was.

10 Q And how long would that line be? What's the range?

11 A Five, six cars deep, seven cars deep.

12 Q Okay. And how long would that initial stop take
13 when -- the initial stop at the checkpoint take?

14 A If everything was -- there was no obvious violation,
15 seconds.

16 Q Okay.

17 A 10 seconds, 15.

18 Q All right. I'm going to ask some questions about
19 that. And in your experience in working with Strike
20 Force, how long did checkpoints usually last?

21 MR. SHORT: Form.

22 A They were directed to last an hour. I'm not going to
23 lie. We usually cut them off at about 45 minutes.